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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 03/16/2004 //

Please find below and/or attached an Office communication concerning this application or proceeding.

PM

Office Action Summary

Application No.

09/728,105

Applicant(s)

SMITH, R. DOUG

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. *Claims 1-50 are pending in this application.*

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-17,19,20,24,25,27,29-37,39-41,43,44 and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,567,860 B1 to Maxwell et al. in view of U.S. Pat. No. 6,345,319 to Lin et al.**

4. As to claim 1, Maxwell teaches a method of configuring a computer system with one or more device drivers comprising: creating a configuration information file containing data that enables the installation of one or more device drivers (INF file 305 Col. 5 Ln. 55 – 67), reading data from the configuration information file, data specifying a command to initiate an executable software routine for installing a device, the data identifying actions to be accomplished and information to be used to install the one or more device drivers (figure 6 Col. 7 Ln.1 – 67, "...read..." Col. 9 Ln. 48 – 67) and installing the one or more device drivers based on the data read from the configuration information file ("...adding..." Col. 7 Ln. 1 – 30, "...add..." Col. 9 Ln. 23 – 24).

5. Maxwell is silent with reference to the configuration information file containing data used by the computer system to automatically install a device driver and allocate computer system resources without user intervention.

6. Lin teaches the configuration information file containing data used by the computer system to automatically install a device driver and allocate computer system resources without user intervention (figure 1 (plug and play) Col. 2 Ln. 46 - 63).

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin's teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 - 63).

8. As to claim 2, Maxwell is silent with respect to the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes creating data used by the computer system to automatically install a device driver by implementing a Plug and Play software routine.

9. Lin teaches the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes creating data used by the computer system to automatically install a device driver by implementing a Plug and Play software routine (figure 1 (plug and play) Col. 2 Ln. 46 - 63).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin's

teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

11. As to claim 3, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes listing an identification string for a device (“...identified...” Col. 5 Ln. 61 – 67).

12. As to claim 4, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes listing a file identifier for an information folder where information about a device is stored (“...unique file identification...” Col. 3 Ln. 20 – 36).

13. As to claim 5, Maxwell is silent with respect to the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes listing a file identifier, the corresponding file to be deleted prior to a new device driver being installed.

14. Lin teaches to the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes listing a file identifier, the corresponding file to be deleted prior to a new device driver being installed (figure 2/3 Col. 2 Ln. 64 – 67, Col. 3 Ln. 1 – 67, Col. 1 – 12).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin’s

teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

16. As to claim 6, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of creating a configuration information file includes listing a command for initiating the executable software routine for installing a device driver (Col. 7 Ln. 35 – 67).

17. As to claim 7, Maxwell teaches the method of configuring a computer system of claim 6 wherein the act of creating a configuration information file includes listing at least a portion of a path to the command (“...file sections...” Col. 7 Ln. 35 – 67).

18. As to claim 8, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of reading data includes reading an identification string (“...Read...” Col. 45 – 67).

19. As to claim 9, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of reading data includes reading an information folder where information about a device is stored (“...Read...” Col. 45 – 67).

20. As to claim 10, see the rejection of claim 5 above.

21. As to claim 11, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of reading data includes reading a command for initiating the executable software routine for installing a device driver (Col. 7 Ln. 35 – 67).

22. As to claim 12, Maxwell teaches the method of configuring a computer system of claim 11 wherein the act of reading data includes reading at least a portion of a path to the command (“...file sections...” Col. 7 Ln. 35 – 67).

23. As to claim 13, Maxwell is silent with respect to the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes searching a system information file for an identification string, and if the identification string is present, removing the identification string from the system information file.

24. Lin teaches the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes searching a system information file for an identification string, and if the identification string is present, removing the identification string from the system information file (“...deleting the device ID...” Col. 2 Ln. 46 – 67, Col. 3 Ln. 1 – 34).

25. It would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin’s teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

26. As to claim 14, Maxwell teaches the method of configuring a computer system of claim 13 wherein the act of searching a system information file includes searching a system registry ("...Registry..." Col. 5 Ln. 44 – 55).

27. As to claim 15, Maxwell is silent with respect to the method of configuring a computer system of claim 13 wherein the act of installing a device driver includes permitting the computer system to automatically install a device driver and allocate computer system resources after the identification string is removed from the system information file.

28. Lin teaches the method of configuring a computer system of claim 13 wherein the act of installing a device driver includes permitting the computer system to automatically install a device driver and allocate computer system resources after the identification string is removed from the system information file ("...deleting the device ID..." Col. 2 Ln. 46 – 67, Col. 3 Ln. 1 – 34).

29. It would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin's teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

30. As to claim 16, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes pointing an installation

program to an information folder where information about a device is stored
("...pointer..." Col. 3 Ln. 1 – 14).

31. As to claim 17, Maxwell teaches the method of configuring a computer system of claim 16 wherein the act of installing a device driver includes placing information found in the information folder in an operating system folder from which the operating system can use the information to install a device driver ("...operating system..." Col. 3 Ln. 20 – 35, "...CopyFiles..." Col. 7 Ln. 30 – 67, Col. 8 Ln. 1 – 16).

32. As to claim 19, Maxwell is silent with respect to the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes deleting a file associated with a device driver that is being removed from the computer system.

33. Lin teaches the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes deleting a file associated with a device driver that is being removed from the computer system ("...deleting the device ID..." Col. 2 Ln. 46 – 67, Col. 3 Ln. 1 – 34).

34. It would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin's teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

35. As to claim 20, Maxwell teaches the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes executing a command for initiating the executable software routine for installing a device driver, the method of configuring further including sufficient instructions to cause the computer system to complete installation of the device driver ("...Install..." Col. 8 Ln. 14 – 45).

36. As to claim 24, Maxwell teaches the method of configuring a computer system of claim 1 further comprising presenting a user interface containing one or more selectable buttons that enable the selection of one or more device drivers to be installed on the computer system (GUI 307 Col. 5 Ln. 56 – 67, "...graphical user interface (GUI)..." Col. 6 Ln. 5 – 64).

37. As to claim 25, Maxwell teaches the method of configuring a computer system of claim 24 wherein activating a selectable button enables installation of multiple device drivers (GUI 307 Col. 5 Ln. 56 – 67, "...graphical user interface (GUI)..." Col. 6 Ln. 5 – 64).

38. As to claim 27, Maxwell teaches a computer system configured to install one or more device drivers that enable one or more devices to convert input and output instructions of the operating system to messages the devices can process comprising: a motherboard with circuits fiber transferring electric signals among the devices; a processor connected to the motherboard; a memory device connected to the

motherboard; a removable media player connected to the motherboard; and a removable media containing computer data comprising (figure 1 Col. 5 Ln. 1 – 54), a configuration information file containing data that enables the installation of the one or more device drivers and an executable file that initiates a user interface containing one or more selectable buttons associated with one or more device drivers that may be installed on the computer system (GUI 307 Col. 5 Ln. 55 – 67, Col. 6 Ln. 1 – 64), the selection of the one or more selectable buttons causing execution of additional instructions that install device drivers based on the data stored in the configuration information file (“Using this GUI...” Col. 6 Ln. 43 – 64) and data specifying a command to initiate an executable software routine for installing a device driver (figure 6 Col. 7 Ln. 1 – 67, Col. 8 Ln. 1 – 67).

39. Maxwell is silent with reference to the configuration information file containing data used by the computer system to automatically install a device driver and allocate computer system resources without user intervention.

40. Lin teaches the configuration information file containing data used by the computer system to automatically install a device driver and allocate computer system resources without user intervention (figure 1 (plug and play) Col. 2 Ln. 46 - 63).

41. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin’s teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

42. As to claim 29, Maxwell teaches the computer system of claim 27 wherein the removable media is an optical media disk (figure 1 Col. 5 Ln. 13 – 30).

43. As to claim 30, Maxwell teaches a removable media storage device comprising: a configuration information file containing data, that enables the installation of plural device drivers, a user interface module that displays selectable buttons that enables the selection of device drivers to be installed on the computer system (figure 4 Ln. 5 – 64), an installation module that reads data from the configuration information file, and data specifying a command to initiate an executable software routine for installing a second device driver, the data identifying actions to be accomplished (figure 6 Col. 7 Ln. 1 – 67, Col. 8 Ln. 1 – 67) and information to be used to install the device drivers, installs the device drivers based on the data read from the configuration information file (figure 4 (Read 603) Col. 7 Ln. 1 – 67) .

44. Maxwell is silent with reference to the configuration information file, containing data used by a computer system to automatically install a first device driver and allocate computer system resources without user intervention.

45. Lin teaches the configuration information file, containing data used by a computer system to automatically install a first device driver and allocate computer system resources without user intervention (figure 1 (plug and play) Col. 2 Ln. 46 - 63).

46. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin's

teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

47. As to claim 31, see the rejection of claim 2 above.

48. As to claim 32, see the rejection of claim 3 above.

49. As to claim 33, see the rejection of claim 4 above.

50. As to claim 34, see the rejection of claim 5 above.

51. As to claim 35, Maxwell teaches the removable media storage device of claim 30 wherein the configuration information file includes listing a command for initiating the executable software routine for installing a device driver (figure 6 Col. 7 Ln. 1 – 67, Col. 8 Ln. 1 – 67).

52. As to claim 36, Maxwell teaches the removable media storage device of claim 35 wherein the configuration information file includes listing at least a portion of a path to the command (figure 6 Col. 7 Ln. 1 – 67, Col. 8 Ln. 1 – 67).

53. As to claim 37, Maxwell teaches the removable media storage device of claim 30 wherein activating a selectable button enables installation of multiple device drivers (Col. 3 Ln. 1 – 19).

54. As to claim 39, Maxwell is silent with respect to the removable media storage device of claim 30 wherein installing the device drivers includes permitting the computer system to automatically install a device driver and allocate computer system resources after an identification string is removed from the system information file.

55. Lin teaches the removable media storage device of claim 30 wherein installing the device drivers includes permitting the computer system to automatically install a device driver and allocate computer system resources after an identification string is removed from the system information file (“...deleting the device ID...” Col. 2 Ln. 46 – 67, Col. 3 Ln. 1 – 34).

56. It would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Lin and Maxwell because Lin’s teaching would improve the system of Maxwell by allowing a new device to operate normally (Lin reference Col. 2 Ln. 60 – 63).

57. As to claim 40, see the rejection of claim 9 above.

58. As to claim 41, Maxwell teaches the removable media storage device of claim 40 wherein installing the device drivers includes placing information found in the

information folder in an operating system folder from which the operating system can use the information to install a device driver (“...Registry...” Col. 5 Ln. 45 – 54).

59. As to claim 43, see the rejection of claim 5 above.

60. As to claim 44, Maxwell teaches the removable media storage device of claim 30 wherein installing the device drivers includes executing a command for initiating the executable software routine for installing a device driver, the installation module further including sufficient instructions to cause the computer system to complete installation of the device driver (figure 6 Col. 7 Ln. 1 – 67, Col. 8 Ln. 1 – 67).

61. As to claim 48, Maxwell teaches the method of claim 1, wherein the configuration information file contains data that enables the installation of plural device drivers, the method further comprising: presenting, in a user interface, information associated with the plural device drivers (figure 4/5 Col. 6 Ln. 5 – 64).

62. As to claim 49, Maxwell teaches the method of claim 48, wherein presenting the information comprises presenting selectable buttons for respective device drivers, wherein activation of one of the selectable buttons causes installation of a corresponding one of the device drivers (figure 4/5 Col. 6 Ln. 5 – 64).

63. As to claim 50, Maxwell teaches the computer system of claim 27, wherein the configuration file contains data that enables installation of plural device drivers, and wherein the executable file is executable to initiate the user interface containing plural selectable buttons associated with the plural device drivers (figure 4/5 Col. 6 Ln. 5 – 64).

64. Claims 18 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,567,860 B1 to Maxwell et al. in view of U.S. Pat. No. 6,345,319 to Lin et al. as applied to claim 1 above, and further in view of U.S. Pat. No. 6,202,121 B1 to Walsh et al.

65. As to claim 18, Maxwell teaches to the method of configuring a computer system of claim 17 wherein if the operating system was installed from a local hard disk drive, then the information will be placed in a system registry (“...Registry...” Col. 5 Ln. 44 – 54).

66. Maxwell as modified is silent with reference to the method of configuring a computer system of claim 17 wherein the information will be placed in an operating system temporary folder by changing the source path in the system registry, and if the information is placed in the operating system temporary folder, then upon a next subsequent boot of the computer system, the value of the source path will be restored to point to the original path, and the operating system temporary folder will be deleted.

67. Walsh teaches the method of configuring a computer system of claim 17 wherein the information will be placed in an operating system temporary folder by changing the source path in the system registry, and if the information is placed in the operating system temporary folder, then upon a next subsequent boot of the computer system, the value of the source path will be restored to point to the original path, and the operating system temporary folder will be deleted (Col. 16 Ln. 40 – 55).

68. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Walsh and Maxwell because the teaching of Walsh would improve the system of Maxwell by providing unused memory space (Col. 16 Ln. 45 – 49).

69. As to claim 42, see the rejection of claim 18 above.

70. Claims 21-23 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,567,860 B1 to Maxwell et al. in view of U.S. Pat. No. 6,345,319 to Lin et al. as applied to claim 1 above, and further in view of U.S. Pat. No. 6,681,391 B1 to Marino et al.

71. As to claim 21, Maxwell as modified is silent with respect to the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes executing a command that is a utility to remove a device driver by making a set of standard application programming interface calls.

72. Marino teaches the method of configuring a computer system of claim 1 wherein the act of installing a device driver includes executing a command that is a utility to remove a device driver by making a set of standard application programming interface calls (API Col. 12 Ln. 7 – 24).

73. It would have been obvious to one of ordinary skill in art at the time the invention made to combine the teachings of Marino and Maxwell in order to test installation orders (Marino reference Col. 12 Ln. 7 – 24).

74. As to claims 22,23 and 45-47 see the rejection of claim 21 above.

75. Claims 26 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,567,860 B1 to Maxwell et al. in view of U.S. Pat. No. 6,345,319 to Lin et al. as applied to claim 1 above, and further in view of U.S. Pat. No. 5,675,831 to Caputo.

76. As to claim 26, Maxwell as modified is silent with reference to the method of configuring a computer system of claim 24 wherein the act of installing a device driver includes searching a system information file for an identification string, and if the identification string is present, generating the selectable button on the user interface.

77. Caputo teaches the method of configuring a computer system of claim 24 wherein the act of installing a device driver includes searching a system information file

for an identification string, and if the identification string is present, generating the selectable button on the user interface (Col. 9 Ln. 44 – 55).

78. It would have been obvious to one of ordinary skill in the art the time of the invention to combine the teachings of Caputo and Maxwell because the teaching of Caputo would improve the system of Maxwell by enabling the addition of modem information unto the registry (Col. 9 Ln. 51 – 55).

79. As to claim 38, see the rejection of claim 26 above.

80. **Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,567,860 B1 to Maxwell et al. in view of U.S. Pat. No. 6,345,319 to Lin et al. as applied to claim 27 above, and further in view of U.S. Pat. No. 6,405,365 B1 to Shih et al.**

81. As to claim 28, Maxwell as modified is silent with reference to the computer system of claim 27 further comprising an autorun file that automatically runs the executable file when the removable media is inserted into the removable media player.

82. Shih teaches the computer system of claim 27 further comprising an autorun file that automatically runs the executable file when the removable media is inserted into the removable media player (figure 2 Col. 6 Ln. 5 – 67, Col. 7, Ln. 1 – 67, Col. 8 Ln. 1 – 34).

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83. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine the teachings of Shih and Maxwell because the Shih's teaching would improve the system of Maxwell by automatically installation or termination application on the insertion of a removable disk (Shih reference Col. 7 Ln. 52 – 67).

Response to Arguments

84. Applicant's arguments with respect to claims 1-50 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

cea